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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,) 2:11-CR-347-KJD-CWH
9 Plaintiff,)
10 v.) Final Order of Forfeiture
11 HENRI WETSELAAR, MD,)
12 Defendant.)

13 This Court found that Henri Wetselaar, MD, (Wetselaar) shall pay the in personam
14 criminal forfeiture money judgments of \$2,257,395 and \$271,500 pursuant to Fed. R. Crim.
15 P. 32.2(b)(1) and (2); Title 18, United States Code, Section 981(a)(1)(C) with Title 28,
16 United States Code, Section 2461(c); Title 21, United States Code, Section 853(a)(1) and
17 (a)(2); Title 21, United States Code, Section 881(a)(6) with Title 28, United States Code,
18 Section 2461(c); Title 18, United States Code, Section 981(a)(1)(A) and 981(a)(1)(C) with
19 Title 28, United States Code, Section 2461(c); Title 18, United States Code, Section
20 982(a)(1); Title 31, United States Code, Section 5317(c)(1); and Title 21, United States
21 Code, Section 853(p). Superseding Indictment, ECF No. 179; Jury Verdict, ECF No. 456;
22 Minutes of Jury Trial, ECF No. 473; Preliminary Order of Forfeiture, ECF No. 564.

23 This Court finds that the United States of America may amend this order at any time
24 to add subsequently located property or substitute property to the forfeiture order pursuant
25 to Fed. R. Crim. P. 32.2(b)(2)(C) and 32.2(e).

26 The United States District Court for the District of Nevada sentenced Wetselaar and
27 both parties agreed to defer the forfeiture until it had been fully briefed. Minutes of
28 Sentencing Hearing, ECF No. 505; Notice, ECF No. 504. After the forfeiture hearing, the

1 court entered the Preliminary Order of Forfeiture. Minutes of Forfeiture Hearing, ECF No.
2 565; Preliminary Order of Forfeiture, ECF No. 564.

3 The in personam criminal forfeiture money judgment amounts of \$2,257,395 and
4 \$271,500 comply with *Honeycutt v. United States*, ___ U.S. ___, 137 S. Ct. 1626 (2017).

5 The United States District Court for the District of Nevada entered the Amended
6 Judgment in a Criminal Case on Wetselaar with the Preliminary Order of Forfeiture (ECF
7 No. 564) attached. Amended Judgment in a Criminal Case, ECF No. 618.

8 **SUBSTITUTION**

9 On October 26, 2017, the United States filed a Motion to Substitute and to Forfeit
10 Property of Wetselaar (ECF No. 563) pursuant to Fed. R. Crim. P. 32.2(e) and 21 U.S.C. §
11 853(p)(1)(A), (p)(1)(B), (p)(1)(D), (p)(1)(E), and (p)(2). Wetselaar filed an Opposition to
12 Government's Motion (ECF No. 573). The United States filed a reply (ECF No. 650). This
13 court granted the United States' Motion to Substitute and to Forfeit Property of Wetselaar
14 finding the assets are owned by the defendant and are subject to forfeiture (ECF No. 699).
15 On July 26, 2018, Wetselaar filed a Notice of Appeal of the substitution and forfeiture order
16 (ECF No. 704), and it is still pending before the United States Court of Appeals for the
17 Ninth Circuit.

18 This Court finds the United States of America published the notice of forfeiture in
19 accordance with the law via the official government internet forfeiture site,
20 www.forfeiture.gov, consecutively from July 20, 2018, through August 18, 2018, and
21 September 23, 2018, through October 22, 2018, notifying all potential third parties of their
22 right to petition the Court. Notice of Filing Proof of Publication, ECF Nos. 714 and 730.

23 This Court finds the United States of America notified known third parties by
24 personal service, or by regular mail and certified mail return receipt requested, of their right
25 to petition the Court. Notice of Filing Service of Process – Mailing, ECF No. 711; Notice of
26 Filing Service of Process – Personal Service, ECF Nos. 727 and 731.

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1 On July 27, 2018, the United States Attorney's Office served David Litwin with
2 copies of the Order and the Notice by regular mail and certified return receipt mail. Notice
3 of Filing Service of Process – Mailing, ECF No. 711.

4 On August 23, 2018, the Internal Revenue Service personally served Elsa Arellano
5 Litwin at 7412 Flat Rock Street, Las Vegas, Nevada 89131 with the Notice and Order.
6 Notice of Filing Service of Process – Personal Service, ECF No. 727 and 727-2, p. 2 and 25-
7 43.

8 On August 23, 2018, the Internal Revenue Service personally served Bing Wetselaar
9 through her husband, Henri Wetselaar, at 3861 Forestcrest Drive, Las Vegas, Nevada 89121
10 with the Notice and Order. Notice of Filing Service of Process – Personal Service, ECF No.
11 727 and 727-2, p. 3 and 25-43.

12 On August 23, 2018, the Internal Revenue Service personally served Joshua Fan
13 through his father, Zijun Fan, at 144 Staplehurst Avenue, Henderson, Nevada 89002 with
14 the Notice and Order. Notice of Filing Service of Process – Personal Service, ECF No. 727
15 and 727-2, p. 4 and 25-43.

16 On August 23, 2018, the Internal Revenue Service personally served Madison Fan
17 through her father, Zijun Fan, at 144 Staplehurst Avenue, Henderson, Nevada 89002 with
18 the Notice and Order. Notice of Filing Service of Process – Personal Service, ECF No. 727
19 and 727-2, p. 5 and 25-43.

20 On August 23, 2018, the Internal Revenue Service personally served New
21 Amsterdam Medical Group c/o Henri Wetselaar, MD, at 3681 Forestcrest Drive, Las
22 Vegas, Nevada 89121 with the Notice and Order. Notice of Filing Service of Process –
23 Personal Service, ECF No. 727 and 727-2, p. 6 and 25-43.

24 On August 23, 2018, the Internal Revenue Service personally served Henri
25 Wetselaar, MD, P.C., c/o Henri Wetselaar, MD, as Registered Agent, President, Secretary,
26 Treasurer, and Director, at 3681 Forestcrest Drive, Las Vegas, Nevada 89121 with the
27 Notice and Order. Notice of Filing Service of Process – Personal Service, ECF No. 727 and
28 727-2, p. 7 and 25-43.

1 On August 23, 2018, the Internal Revenue Service personally served Larry Brown,
2 Chairman, Clark County Water Reclamation District, through Michelle Woolridge,
3 employee of Clark County Water Reclamation District, at 5857 E. Flamingo Road, Las
4 Vegas, Nevada 89122 with the Notice and Order. Notice of Filing Service of Process –
5 Personal Service, ECF No. 727 and 727-2, p. 8 and 25-43.

6 On August 23, 2018, the Internal Revenue Service personally served John J.
7 Entsminger, General Manager, Las Vegas Valley Water District, through Renee Stegeman,
8 Senior Records Management Associate, at 1001 S. Valley View Blvd., Las Vegas, Nevada
9 89153 with the Notice and Order. Notice of Filing Service of Process – Personal Service,
10 ECF No. 727 and 727-2, p. 9 and 25-43.

11 On August 23, 2018, the Internal Revenue Service personally served Marilyn
12 Kirkpatrick, President, Las Vegas Valley Water District, through Renee Stegeman, Senior
13 Records Management Associate, at 1001 S. Valley View Blvd., Las Vegas, Nevada 89153
14 with the Notice and Order. Notice of Filing Service of Process – Personal Service, ECF No.
15 727 and 727-2, p. 10 and 25-43.

16 On August 23, 2018, the Internal Revenue Service personally served Gregory J.
17 Walch, General Counsel, Las Vegas Valley Water District, through Renee Stegeman,
18 Senior Records Management Associate, at 1001 S. Valley View Blvd., Las Vegas, Nevada
19 89153 with the Notice and Order. Notice of Filing Service of Process – Personal Service,
20 ECF No. 727 and 727-2, p. 11 and 25-43.

21 On August 23, 2018, the Internal Revenue Service personally served John J.
22 Entsminger, General Manager, Southern Nevada Water Authority, through Renee
23 Stegeman, Senior Records Management Associate, at 1001 S. Valley View Blvd., Las
24 Vegas, Nevada 89153 with the Notice and Order. Notice of Filing Service of Process –
25 Personal Service, ECF No. 727 and 727-2, p. 12 and 25-43.

26 On August 23, 2018, the Internal Revenue Service personally served Gregory
27 J. Walch, General Counsel, Southern Nevada Water Authority, through Renee Stegeman,
28 Senior Records Management Associate, at 1001 S. Valley View Blvd., Las Vegas, Nevada

89153 with the Notice and Order. Notice of Filing Service of Process – Personal Service, ECF No. 727 and 727-2, p. 13 and 25-43.

On August 24, 2018, the Internal Revenue Service personally served Laura B. Fitzpatrick, Clark County Treasurer, through Bertha at the County Manager’s Office, at 500 S. Grand Central Parkway, Las Vegas, Nevada 89155 with the Notice and Order. Notice of Filing Service of Process – Personal Service, ECF No. 727 and 727-2, p. 14 and 25-43.

On August 24, 2018, the Internal Revenue Service personally served Lynn Goya, Clark County Clerk, Clark County Board of Commissioners, through Bertha at the County Manager’s Office, at Commission Division, 500 S. Grand Central Parkway, 1st and 6th Floors, Las Vegas, Nevada 89155 with the Notice and Order. Notice of Filing Service of Process – Personal Service, ECF No. 727 and 727-2, p. 15 and 25-43.

On August 24, 2018, the Internal Revenue Service personally served Lynn Goya, Clark County Clerk, Clark County Water Reclamation District, through Bertha at the County Manager’s Office, at Commission Division, 500 S. Grand Central Parkway, 1st and 6th Floors, Las Vegas, Nevada 89155 with the Notice and Order. Notice of Filing Service of Process – Personal Service, ECF No. 727 and 727-2, p. 16 and 25-43.

On August 24, 2018, the Internal Revenue Service personally served Lynn Goya, Clark County Clerk, through Bertha at the County Manager’s Office, at Commission Division, 500 S. Grand Central Parkway, 1st and 6th Floors, Las Vegas, Nevada 89155 with the Notice and Order. Notice of Filing Service of Process – Personal Service, ECF No. 727 and 727-2, p. 17 and 25-43.

On August 24, 2018, the Internal Revenue Service personally served Michele L. Shafe, Clark County Assessor, through Bertha at the County Manager’s Office, at 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155 with the Notice and Order. Notice of Filing Service of Process – Personal Service, ECF No. 727 and 727-2, p. 18 and 25-43.

On August 24, 2018, the Internal Revenue Service personally served Debbie Conway, Clark County Recorder, through Bertha at the County Manager’s Office, at 500 S.

1 Grand Central Parkway, 2nd Floor, Las Vegas, Nevada 89155 with the Notice and Order.
2 Notice of Filing Service of Process – Personal Service, ECF No. 727 and 727-2, p. 19 and
3 25-43.

4 On August 24, 2018, the Internal Revenue Service was unable to serve Jonathan
5 Powell, 117 S. Rancho Drive, Las Vegas, Nevada 89102 as he refused service of the Notice
6 and Order. Notice of Filing Service of Process – Personal Service, ECF No. 727 and 727-2,
7 p. 20 and 25-43.

8 On August 27, 2018, the Internal Revenue Service personally served Steven B.
9 Wolfson, Clark County District Attorney, through Jackie Magana, Legal Office Assistant,
10 at 200 Lewis Avenue, Las Vegas, Nevada 89101 with the Notice and Order. Notice of
11 Filing Service of Process – Personal Service, ECF No. 727 and 727-2, p. 21 and 25-43.

12 On August 27, 2018, the Internal Revenue Service served Luann Holmes, City of Las
13 Vegas Sewer, through Stacey Campbell, Chief Deputy City Clerk, at 495 S. Main Street, 6th
14 Floor, Las Vegas, Nevada 89101 with the Notice and Order. Notice of Filing Service of
15 Process – Personal Service, ECF No. 727 and 727-2, p. 22 and 25-43.

16 On August 27, 2018, the Internal Revenue Service personally served Luann Holmes,
17 City Clerk, City of Las Vegas, through Stacey Campbell, Chief Deputy City Clerk, at 495 S.
18 Main Street, 6th Floor, Las Vegas, Nevada 89101 with the Notice and Order. Notice of
19 Filing Service of Process – Personal Service, ECF No. 727 and 727-2, p. 23 and 25-43.

20 On August 27, 2018, the Internal Revenue Service personally served Bradford Jerbic,
21 City Attorney, City of Las Vegas, through Jeffry Dorocak, Deputy City Attorney, at 200
22 Lewis Avenue, Las Vegas, Nevada 89101, with the Notice and Order. Notice of Filing
23 Service of Process – Personal Service, ECF No. 727 and 727-2, p. 24-43.

24 On October 5, 2018, the Internal Revenue Service personally served Kathleen Bliss
25 Law Group, PLLC, c/o Kathleen Bliss Quasula, Registered Agent, at 1070 W. Horizon
26 Ridge Parkway, Suite 202, Henderson, Nevada 89012 with the Notice and Order. Notice of
27 Filing Service of Process – Personal Service, ECF No. 731 and 731-1, p. 3 and 10-28.

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1 On October 5, 2018, the Internal Revenue Service personally served Kathleen Bliss
2 Law Group, PLLC at 1070 W. Horizon Ridge Parkway, Suite 202, Henderson, Nevada
3 89012 with the Notice and Order. Notice of Filing Service of Process – Personal Service,
4 ECF No. 731 and 731-1, p. 4 and 10-28.

5 On October 5, 2018, the Internal Revenue Service personally served Kathleen Bliss
6 Law Group, PLLC, c/o Kathleen Bliss, Managing Member, at 1070 W. Horizon Ridge
7 Parkway, Suite 202, Henderson, Nevada 89012 with the Notice and Order. Notice of Filing
8 Service of Process – Personal Service, ECF No. 731 and 731-1, p. 5 and 10-28.

9 On October 11, 2018, the Internal Revenue Service personally served Lewis Brisbois
10 Bisgaard Smith LLP, c/o Darnell D. Dennis, Registered Agent, at 2300 W. Sahara Avenue,
11 #300, Las Vegas, Nevada 89102 with the Notice and Order. Notice of Filing Service of
12 Process – Personal Service, ECF No. 731 and 731-1, p. 6 and 10-28.

13 On October 11, 2018, the Internal Revenue Service personally served Lewis Brisbois
14 Bisgaard Smith LLP, c/o Adam J. Pernsteiner, Esq., at 2300 W. Sahara Avenue, #300, Las
15 Vegas, Nevada 89102 with the Notice and Order. Notice of Filing Service of Process –
16 Personal Service, ECF No. 731 and 731-1, p. 7 and 10-28.

17 On October 11, 2018, the Internal Revenue Service personally served Lewis Brisbois
18 Bisgaard Smith LLP, c/o Darnell D. Dennis, Managing Partner, at 2300 W. Sahara
19 Avenue, #300, Las Vegas, Nevada 89102 with the Notice and Order. Notice of Filing
20 Service of Process – Personal Service, ECF No. 731 and 731-1, p. 8 and 10-28.

21 On October 11, 2018, the Internal Revenue Service personally served Lewis Brisbois
22 Bisgaard Smith LLP at 2300 W. Sahara Avenue, #300, Las Vegas, Nevada 89102 with the
23 Notice and Order. Notice of Filing Service of Process – Personal Service, ECF No. 731 and
24 731-1, p. 9-28.

25 On September 14, 2018, the Clark County District Attorney's Office filed a
26 Disclaimer of Interest. (ECF No. 728).

27 This Court finds no other petition was filed herein by or on behalf of any person or
28 entity and the time for filing such petitions and claims has expired.

1 This Court finds no petitions are pending with regard to the property named herein
2 and the time for presenting such petitions has expired.

3 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
4 all possessory rights, ownership rights, and all rights, titles, and interests in the property
5 hereinafter described are condemned, forfeited, and vested in the United States of America:

- 6 1. \$14,991.18;
- 7 2. \$4,899.47;
- 8 3. \$667,133;
- 9 4. \$15,416.33;
- 10 5. \$9,950.39;
- 11 6. \$531,409.95;
- 12 7. Twenty-nine (29) 1 oz South Africa Gold Krugerrand Coins;
- 13 8. One (1) 1 lb Silver Liberty Coin;
- 14 9. One (1) .25 oz Bally's LV Silver Coin;
- 15 10. One (1) 1 lb Silver \$100 Bill Press;
- 16 11. Two (2) 1 oz Strike Gold Australia Coins in Wood Display Box;
- 17 12. Two (2) 1 oz Vancouver Gold Coins;
- 18 13. One (1) Madison Missing Edge Coin;
- 19 14. Eight (8) 1 oz Polish Solidarity Coins;
- 20 15. Six (6) \$10 West Point Mint Coins;
- 21 16. Ten (10) American Eagle Gold Bullions;
- 22 17. Thirty (30) 1 oz Maple Leafs Coins;
- 23 18. Thirteen (13) 1 oz Liberty Buffalo Heads;
- 24 19. Twelve (12) 1 oz Liberty Gold Coins;
- 25 20. Ten (10) Liberty Gold Coins;
- 26 21. Five (5) 1 oz Panda Gold Coins;
- 27 22. Four (4) 1 oz Ultra High Relief Gold Coins;
- 28 23. Fourteen (14) Chinese Coins;

24. Seven (7) 1 oz Elizabeth II Gold Coins and One (1) Canadian dollar coin;
25. Two (2) 1/4 oz Liberty \$5 Gold Coins;
26. Ten (10) .44 oz Gold Four Ducat Austrian Coins;
27. One (1) Royal Canadian Mounted Police Coin;
28. Five (5) Captain Cook Half Dollars;
29. One (1) 1 oz Penny Black Coin;
30. Five (5) \$50 Silver Proof First Men on the Moon;
31. Twenty-Four (24) \$50 Silver Proof Mint Milestones of Space;
32. One (1) 1 oz Liberty \$50 Buffalo Gold Coin;
33. One (1) 5 Pattlavi Coin;
34. Twenty (20) Swiss Gold Coins;
35. One (1) 1 oz Liberty American Eagle Coin;
36. Ten (10) 1/2 oz Gold Austrian Coins;
37. One (1) Library of Congress Coin;
38. One (1) 1 oz Panda Gold Coin;
39. Three (3) \$20 St. Galdens Coins;
40. One (1) 1 oz 1984 Gold Olympiad;
41. Two (2) Liberty 1/2 oz Gold Coins;
42. Three (3) Dutch Coins;
43. One (1) Martha Washington Gold Coin;
44. Four (4) Wiener Philharmonic Gold Coins;
45. Two (2) Austrian Gold Coins;
46. Three (3) 1 oz Liberty \$50 Coins;
47. One (1) 1 oz Liberty Gold Eagle Mint Coin;
48. One (1) \$5 1/10 oz American Eagle Coin;
49. Two (2) Mint Silver Coins;
50. One (1) German "Nazi" Coin;
51. One (1) \$1 21st Century Gold Coin;

52. One (1) Ronald Regan Commemorative Coin;
53. Four (4) Gold Plated Chinese Medallions;
54. Four (4) Presidential Coins;
55. \$5,198 in U.S. Savings Bond bearing serial number V003217168I;
56. \$5,198 in U.S. Savings Bond bearing serial number V003217170I;
57. \$5,198 in U.S. Savings Bond bearing serial number V003217169I;
58. \$5,176 in U.S. Savings Bond bearing serial number V003235706I;
59. \$5,176 in U.S. Savings Bond bearing serial number V003235705I;
60. \$5,176 in U.S. Savings Bond bearing serial number V003238857I;
61. \$5,176 in U.S. Savings Bond bearing serial number V003238856I;
62. \$1,003.20 in U.S. Savings Bond bearing serial number M008407049I;
63. \$1,003.20 in U.S. Savings Bond bearing serial number M008407048I;
64. \$1,003.20 in U.S. Savings Bond bearing serial number M008407047I;
65. \$1,003.20 in U.S. Savings Bond bearing serial number M008407046I;
66. \$1,039.60 in U.S. Savings Bond bearing serial number M008151895I;
67. \$1,039.60 in U.S. Savings Bond bearing serial number M008151894I;
68. \$1,039.60 in U.S. Savings Bond bearing serial number M008151893I;
69. \$1,039.60 in U.S. Savings Bond bearing serial number M008151892I;
70. \$1,039.60 in U.S. Savings Bond bearing serial number M008151891I; and
71. The residential property located at 6102 Falconer Avenue, Las Vegas, Nevada 89122, together with all improvements and appurtenances thereon and more particularly described as:
- Parcel I:
- Lot Five Hundred Ninety-Nine (599) of STALLION MOUNTAIN ESTATES II UNIT 6-7 as shown by map thereon on file in Book 124 of Plats, Page 58 in the Office of the County Recorder of Clark County, Nevada.

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1 Parcel II

2 An easement for ingress and egress over those Private Streets and Common
3 Areas as set forth on the map referred to above and in that certain

4 DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
5 FOR SOLERA AT STALLION MOUNTAIN, a planned community recorded
6 May 17, 2005 in Book 20050517 as Instrument No. 0006018 of Official Records,
7 as now or hereafter amended. APN: 161-15-310-092;

8 (all of which constitutes property); and

9 that the United States recover from Wetselaar the in personam criminal forfeiture
10 money judgments of \$2,257,395 and \$271,500, and that the property will be applied toward
11 the payment of the money judgment; and

12 the forfeiture of the money judgment and the property is imposed pursuant to Fed.
13 R. Crim. P. 32.2(b)(4)(A) and (B); Fed. R. Crim. P. 32.2(c)(2); Title 18, United States Code,
14 Section 981(a)(1)(C) with Title 28, United States Code, Section 2461(c); Title 21, United
15 States Code, Section 853(a)(1) and (a)(2); Title 21, United States Code, Section 881(a)(6)
16 with Title 28, United States Code, Section 2461(c); Title 18, United States Code, Section
17 981(a)(1)(A) and 981(a)(1)(C) with Title 28, United States Code, Section 2461(c); Title 18,
18 United States Code, Section 982(a)(1); Title 31, United States Code, Section 5317(c)(1); and
19 Title 21, United States Code, Section 853(p) and 853(n)(7); that the money judgment shall
20 be collected; and that the property and the collected amount shall be disposed of according
21 to law.

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all
23 forfeited funds, including but not limited to, currency, currency equivalents, certificates of
24 deposit, as well as any income derived as a result of the United States of America's
25 management of any property forfeited herein, and the proceeds from the sale of any
26 forfeited property shall be disposed of according to law.

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send
2 copies of this Order to all counsel of record and three certified copies to the United States
3 Attorney's Office, Attention Asset Forfeiture Unit.

4 DATED this 3rd day of December, 2018.

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UNITED STATES DISTRICT JUDGE
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/s/ Heidi L. Skillin
HEIDI L. SKILLIN
FSA Paralegal